

**FORTY-NINTH DAY - MARCH 25, 2003****LEGISLATIVE JOURNAL****NINETY-EIGHTH LEGISLATURE  
FIRST SESSION****FORTY-NINTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Tuesday, March 25, 2003

**PRAYER**

The prayer was offered by Senator Price.

**ROLL CALL**

Pursuant to adjournment, the Legislature met at 9:00 a.m., Senator Cudaback presiding.

The roll was called and all members were present except Senators Aguilar, Cunningham, and Jones who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the forty-eighth day was approved.

**ANNOUNCEMENT**

The Chair announced March 16<sup>th</sup> was Senator Brashear's birthday.

**GENERAL FILE**

**LEGISLATIVE BILL 608.** Senator D. Pederson renewed his pending amendment, AM0883, found on page 959 and considered on page 1013, to the fourth Standing Committee amendment, FA1207, found on page 1011.

Senators Cudaback, Kremer, and McDonald asked unanimous consent to be excused until they return. No objections. So ordered.

**SPEAKER BROMM PRESIDING**

Senator Hartnett moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 28 ayes, 0 nays, and 21 not voting.

Senator D. Pederson moved for a call of the house. The motion prevailed with 29 ayes, 0 nays, and 20 not voting.

The D. Pederson amendment lost with 21 ayes, 16 nays, 6 present and not voting, and 6 excused and not voting.

The Chair declared the call raised.

Pending.

## RESOLUTIONS

Pursuant to Rule 4, Sec. 5(b), LRs 47, 48, 49, 50, 51, 53, 54, 55, 56, and 57 were adopted.

## SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LRs 47, 48, 49, 50, 51, 53, 54, 55, 56, and 57.

## GENERAL FILE

**LEGISLATIVE BILL 608.** The fourth Standing Committee amendment, FA1207, found on page 1011, was renewed.

## SENATOR SCHIMEK PRESIDING

Senator Landis offered the following amendment to the fourth Standing Committee amendment:  
AM0969

(Amendments to FA1207)

- 1 1. On page 18, strike lines 22 through 27.
- 2 2. On page 19, lines 1 through 4, strike the new matter
- 3 and insert "(15)"; and after line 9 insert the following new
- 4 subdivision:
- 5 "(16) Rural Nebraska average weekly wage means the most
- 6 recent average weekly wage paid by all employers in all counties
- 7 with a population of less than twenty thousand inhabitants as
- 8 reported by July 1 by the Department of Labor."
- 9 3. On page 22, strike beginning with "for" in line 19
- 10 through "benefits" in line 21 and insert ", except for taxpayers
- 11 qualifying under subdivision (3)(b) of this section, the minimum
- 12 qualifying wage for applications filed on or after the effective
- 13 date of this act shall be eight dollars and twenty-five cents per
- 14 hour"; and strike beginning with "or" in line 26 through "cents" in
- 15 line 27.
- 16 4. On page 23, line 3, before the period insert "; and
- 17 the current rural Nebraska average weekly wage shall be divided by
- 18 the rural Nebraska average weekly wage for 2003; the result shall
- 19 be multiplied by the eight dollars and twenty-five cents minimum

20 wage for 2003 and rounded to the nearest one cent. The amount of  
 21 increase or decrease in the minimum wages for any year shall be the  
 22 cumulative change in the rural Nebraska average weekly wage since  
 23 2003".

Senator Landis moved the previous question. The question is, "Shall the debate now close?" The motion failed with 19 ayes, 1 nay, and 29 not voting.

Senators Byars, Cudaback, and Jensen asked unanimous consent to be excused until they return. No objections. So ordered.

Senator Landis moved for a call of the house. The motion prevailed with 39 ayes, 0 nays, and 10 not voting.

Senator Chambers requested a roll call vote on the Landis amendment.

Senator Brashear requested the roll call vote be taken in reverse order.

Voting in the affirmative, 34:

Baker	Combs	Kremer	Pederson, D.	Stuhr
Beutler	Cunningham	Landis	Price	Stuthman
Bourne	Engel	Maxwell	Quandahl	Thompson
Brashear	Erdman	McDonald	Raikes	Tyson
Bromm	Foley	Mines	Redfield	Vrtiska
Brown	Friend	Mossey	Schrock	Wehrbein
Burling	Hartnett	Pedersen, Dw.	Smith	

Voting in the negative, 4:

Chambers	Connealy	Louden	Schimek
----------	----------	--------	---------

Present and not voting, 6:

Hudkins	Johnson	Preister
Janssen	Kruse	Synowiecki

Excused and not voting, 5:

Aguilar	Byars	Cudaback	Jensen	Jones
---------	-------	----------	--------	-------

The Landis amendment was adopted with 34 ayes, 4 nays, 6 present and not voting, and 5 excused and not voting.

Pending.

**STANDING COMMITTEE REPORTS**  
**Judiciary**

**LEGISLATIVE BILL 304.** Placed on General File.

**LEGISLATIVE BILL 265.** Placed on General File as amended.

(Standing Committee amendment, AM0768, is printed separately and available in the Bill Room, Room 1104.)

**LEGISLATIVE BILL 542.** Placed on General File as amended.

Standing Committee amendment to LB 542:

AM0776

- 1 1. On page 3, line 27, strike "only" and insert "not";
- 2 and in line 28 strike "class one".
- 3 2. On page 4, lines 1 through 8, strike the new matter
- 4 and insert "tobacco product violation".

**LEGISLATIVE BILL 625.** Placed on General File as amended.

Standing Committee amendment to LB 625:

AM0681

- 1 1. On page 4, line 7, after the period insert "All
- 2 personal identification information of testers shall be removed
- 3 from the copies provided. The commission may charge a fee, not to
- 4 exceed actual cost, for copies provided under this section.".

(Signed) Kermit A. Brashear, Chairperson

**Business and Labor**

**LEGISLATIVE BILL 210.** Placed on General File as amended.

Standing Committee amendment to LB 210:

AM0926

- 1 1. Strike the original sections and insert the following
- 2 new sections:
- 3 "Section 1. Section 48-106, Revised Statutes Supplement,
- 4 2002, is amended to read:
- 5 48-106. (1) The Nebraska Workers' Compensation Act shall
- 6 apply to the State of Nebraska, to every governmental agency
- 7 created by the state, and, except as provided in this section, to
- 8 every resident employer in this state and nonresident employer
- 9 performing work in this state who employs one or more employees in
- 10 the regular trade, business, profession, or vocation of such
- 11 employer.
- 12 (2) The act shall not apply to:
- 13 (a) A railroad company engaged in interstate or foreign
- 14 commerce;
- 15 (b) Service performed by a worker who is a household
- 16 domestic servant in a private residence;
- 17 (c) Service performed by a worker when performed on a

18 farm or ranch for an employer who is engaged in an agricultural  
19 operation and employs only related employees; and  
20 (d) Service performed by a worker when performed on a  
21 farm or ranch for an employer who is engaged in an agricultural  
22 operation and employs unrelated employees, unless:  
23 (i) Such service is performed on a farm or ranch for an  
24 employer who during any calendar year employs six or more  
1 unrelated, full-time employees, whether in one or more locations,  
2 on each working day during any thirteen-week period, whether or not  
3 such weeks are consecutive; and  
4 (ii) Forty percent or more of the employer's annual gross  
5 revenue is derived from the cultivation of land owned or leased by  
6 someone other than the employer for the production of agricultural  
7 crops, fruit, or other horticultural products, or forty percent or  
8 more of the employer's annual gross revenue is derived from the  
9 keeping or feeding of animals not owned by the employer for the  
10 production of livestock or livestock products.  
11 (3) If the employer is the state or any governmental  
12 agency created by the state, the exemption from the act under  
13 subdivision (2)(d) of this section does not apply.  
14 (4) If the act applies to an employer because the  
15 employer meets the requirements of subdivisions (2)(d)(i) and  
16 (2)(d)(ii) of this section, all unrelated employees shall be  
17 covered under the act and such employees' wages shall be considered  
18 for premium purposes.  
19 (5) If an employer to whom the act applies because the  
20 employer meets the requirements of subdivisions (2)(d)(i) and  
21 (2)(d)(ii) of this section subsequently employs fewer than six  
22 unrelated employees, such employer shall continue to provide  
23 workers' compensation insurance coverage for the employees for a  
24 full calendar year after the number of employees is less than six.  
25 Such employer may elect to return to exempt status, and if such  
26 election is made, the employer shall give the employees notice as  
27 provided in subsection (6) of this section.  
1 (6) An employer who is exempt from the act may elect to  
2 bring the employees of such employer under the act. Such election  
3 is made by the employer obtaining a policy of workers' compensation  
4 insurance covering such employees. Such policy shall be obtained  
5 from a corporation, association, or organization authorized and  
6 licensed to transact the business of workers' compensation  
7 insurance in this state. If such an exempt employer procures a  
8 policy of workers' compensation insurance which is in full force  
9 and effect at the time of an accident to an employee of such  
10 employer, such procurement is conclusive proof of the employer's  
11 and employee's election to be bound by the act. Such an exempt  
12 employer who has procured a policy of workers' compensation  
13 insurance may elect to return to exempt status by (a) posting,  
14 continuously in a conspicuous place at the employment locations of  
15 the employees for a period of at least ninety days, a written or

16 printed notice stating that the employer will no longer carry  
17 workers' compensation insurance for the employees and the date such  
18 insurance will cease and (b) thereafter no longer carrying a policy  
19 of workers' compensation insurance. Failure to provide notice in  
20 accordance with this subsection voids an employer's attempt to  
21 return to exempt status.

22 (7) An exclusion from coverage in any health, accident,  
23 or other insurance policy covering a person employed by an employer  
24 who is exempt from the act under this section which provides that  
25 coverage under the health, accident, or other insurance policy does  
26 not apply if such person is entitled to workers' compensation  
27 coverage is void as to such person if such employer has not elected  
1 to bring the employees of such employer within the act as provided  
2 in subsection (6) of this section.

3 (8) For purposes of this section:

4 (a) Agricultural operation means (i) the cultivation of  
5 land for the production of agricultural crops, fruit, or other  
6 horticultural products or (ii) the ownership, keeping, or feeding  
7 of animals for the production of livestock or livestock products;  
8 and

9 (b) Related employee means an employee related to the  
10 employer within the third degree by blood or marriage.  
11 Relationship by blood or marriage within the third degree includes  
12 parents, grandparents, great grandparents, children, grandchildren,  
13 great grandchildren, brothers, sisters, uncles, aunts, nephews,  
14 nieces, and spouses of the same. If the employer is a partnership,  
15 limited liability company, or corporation in which all of the  
16 partners, members, or shareholders are related within the third  
17 degree by blood or marriage, then related employee means any  
18 employee related to any such partner, member, or shareholder within  
19 the third degree by blood or marriage. The Nebraska Workers'  
20 Compensation Act shall apply to the State of Nebraska and every  
21 governmental agency created by it, and to every employer in this  
22 state, including nonresident employers performing work in the State  
23 of Nebraska, employing one or more employees, in the regular trade,  
24 business, profession, or vocation of such employer, except railroad  
25 companies engaged in interstate or foreign commerce.

26 (2) The following are declared not to be hazardous  
27 occupations and not within the provisions of the Nebraska Workers'  
1 Compensation Act: Employers of household domestic servants and  
2 employers of farm or ranch laborers. An employer who is excluded  
3 from the act under this subsection may elect to bring the employees  
4 of such employer within the provisions of the act. Such election  
5 is made by the employer obtaining a policy of workers' compensation  
6 insurance covering such employees from a corporation, association,  
7 or organization authorized and licensed to transact the business of  
8 workers' compensation insurance in this state. If an employer who  
9 is excluded from the act under this subsection has not elected to  
10 bring the employees of such employer within the provisions of the

11 act by obtaining a policy of workers' compensation insurance as  
12 provided in this subsection and any health, accident, or other  
13 insurance policy covering such employees contains an exclusion of  
14 coverage if the insured is otherwise entitled to workers'  
15 compensation coverage, such exclusion shall be null and void as to  
16 such employees.

17 (3) The procuring by any such employer of such a policy  
18 of insurance, referred to in subsection (2) of this section, which  
19 is in full force and effect at the time of an accident to any of  
20 his or her employees, shall be conclusive proof of such employer's  
21 and his or her employees' election to be bound by the Nebraska  
22 Workers' Compensation Act, to all intents and purposes as if they  
23 had not been specifically excluded by the terms of this section.  
24 Such employer of household domestic servants and such employer of  
25 farm or ranch laborers who has procured such a policy of insurance  
26 may elect to return to the status of being not within the  
27 provisions of the Nebraska Workers' Compensation Act by (a) no  
1 longer carrying a policy of workers' compensation insurance and (b)  
2 posting and thereafter keeping continuously posted for a period of  
3 at least one year in a conspicuous place about the place or places  
4 where his or her workers are employed a written or printed notice  
5 of election not to be bound by the provisions of such act.

6 Sec. 2. Section 48-125.01, Reissue Revised Statutes of  
7 Nebraska, is amended to read:

8 48-125.01. Any employer who knowingly transfers, sells,  
9 encumbers, assigns, or in any manner disposes of, conceals,  
10 secretes, or destroys any property or records belonging to such  
11 employer, after one of his or her employees has been injured within  
12 the purview of the Nebraska Workers' Compensation Act, and with  
13 intent to avoid the payment of compensation under such act to such  
14 employee or his or her dependents, shall be guilty of a Class I  
15 misdemeanor. In any case when such employer is a corporation, any  
16 officer or employee thereof, if knowingly participating or  
17 acquiescing in the act with intent to avoid the payment of  
18 compensation under the ~~Nebraska Workers' Compensation Act act~~,  
19 shall be also individually guilty of a Class I misdemeanor as well  
20 as jointly and severally liable with such corporation for any fine  
21 imposed upon the corporation. In any case when such employer is a  
22 limited liability company, any member or manager thereof, if  
23 knowingly participating or acquiescing in the act with intent to  
24 avoid the payment of compensation under the ~~Nebraska Workers'~~  
25 ~~Compensation Act act~~, shall be also individually guilty of a Class  
26 I misdemeanor as well as jointly and severally liable with such  
27 limited liability company for any fine imposed upon the limited  
1 liability company. In any case when such employer is a limited  
2 partnership or a limited liability partnership, any general  
3 partner, if knowingly participating or acquiescing in the act with  
4 intent to avoid the payment under the act, shall also be guilty of  
5 a Class I misdemeanor as well as jointly and severally liable with

6 such limited partnership or limited liability partnership, and  
 7 limited partners shall not be liable.  
 8 Sec. 3. Original section 48-125.01, Reissue Revised  
 9 Statutes of Nebraska, and section 48-106, Revised Statutes  
 10 Supplement, 2002, are repealed."

**LEGISLATIVE BILL 483.** Placed on General File as amended.  
 Standing Committee amendment to LB 483:  
 AM0835

1 1. On page 5, line 15, strike "employer" and insert  
 2 "risk management pool"; in line 20, strike "or psychologist" and  
 3 after the period, insert "A compensation insurer, risk management  
 4 pool, self-insurer, or employer shall not pursuant to a patient's  
 5 waiver be entitled to an employee's hospital or medical records  
 6 that pertain to an employee's previous treatment for sexual abuse,  
 7 human immunodeficiency virus, mental health conditions, or alcohol  
 8 or controlled substance abuse."; and strike beginning with "Any" in  
 9 line 24 through line 28.  
 10 2. On page 6, strike line 1.

**LEGISLATIVE BILL 558.** Placed on General File as amended.  
 Standing Committee amendment to LB 558:  
 AM0633

1 1. On page 2, strike lines 1 through 9; in line 10  
 2 strike "(2)" and insert "(1)"; in line 19 strike "(3)" and insert  
 3 "(2)"; and in line 28 strike "(4)" and insert "(3)".

**LEGISLATIVE BILL 807.** Indefinitely postponed.

(Signed) Floyd P. Vrtiska, Chairperson

### AMENDMENTS - Print in Journal

Senator Quandahl filed the following amendment to LB 117:  
 AM0917

(Amendments to Standing Committee amendments, AM0863)

1 1. Insert the following new sections:  
 2 "Section 1. All intangible personal property  
 3 distributable in the course of a demutualization or related  
 4 reorganization of a life insurance corporation that remains  
 5 unclaimed is presumed abandoned two years after the earlier of (a)  
 6 the date of the distribution of the property or (b) the date of  
 7 last contact with a policyholder.  
 8 Sec. 2. Section 69-1310, Reissue Revised Statutes of  
 9 Nebraska, is amended to read:  
 10 69-1310. (a) Every person holding funds or other  
 11 property, tangible or intangible, presumed abandoned under the  
 12 Uniform Disposition of Unclaimed Property Act shall report to the  
 13 State Treasurer with respect to the property as hereinafter



14 provided.

15 (b) The report shall be verified and shall include:

16 (1) Except with respect to traveler's checks and money  
17 orders, the name, if known, and last-known address, if any, of each  
18 person appearing from the records of the holder to be the owner of  
19 any property presumed abandoned under the act;

20 (2) In case of unclaimed funds of life insurance  
21 corporations, the full name of the insured or annuitant and his or  
22 her last-known address according to the life insurance  
23 corporation's records;

1 (3) The nature and identifying number, if any, or  
2 description of the property and the amount appearing from the  
3 records to be due, except that items of less than twenty-five  
4 dollars may be reported in the aggregate;

5 (4) The date when the property became payable,  
6 demandable, or returnable, and the date of the last transaction  
7 with the owner with respect to the property; and

8 (5) Other information which the State Treasurer may  
9 prescribe by rule as necessary for the administration of the act.

10 (c) If the person holding property presumed abandoned is  
11 a successor to other persons who previously held the property for  
12 the owner, or if the holder has changed his or her name while  
13 holding the property, he or she shall file with his or her report  
14 all prior known names and addresses of each holder of the property.

15 (d) The report shall be filed before November 1 of each  
16 year as of June 30 next preceding, but the report of life insurance  
17 corporations shall be filed before May 1 of each year as of  
18 December 31 next preceding. A one-time supplemental report shall  
19 be filed by life insurance corporations with regard to property  
20 subject to section 1 of this act before November 1, 2003, as of  
21 December 31, 2002, as if section 1 of this act had been in effect  
22 prior to January 1, 2003. The property must accompany the report  
23 unless excused by the State Treasurer for good cause. The State  
24 Treasurer may postpone the reporting date upon written request by  
25 any person required to file a report.

26 (e) If the holder of property presumed abandoned under  
27 the act knows the whereabouts of the owner and if the owner's claim  
1 has not been barred by the statute of limitations, the holder  
2 shall, before filing the annual report, communicate with the owner  
3 and take necessary steps to prevent abandonment from being  
4 presumed. The holder shall exercise due diligence to ascertain the  
5 whereabouts of the owner.

6 (f) Verification, if made by a partnership, shall be  
7 executed by a partner; if made by a limited liability company, by a  
8 member; if made by an unincorporated association or private  
9 corporation, by an officer; and if made by a public corporation, by  
10 its chief fiscal officer.

11 Sec. 4. Section 69-1329, Reissue Revised Statutes of  
12 Nebraska, is amended to read:

- 13 69-1329. Sections 69-1301 to 69-1329 and section 1 of  
 14 this act may be cited as the Uniform Disposition of Unclaimed  
 15 Property Act.".
- 16 2. On page 1, line 5, strike "All", show as stricken,  
 17 and insert "Except as otherwise provided in this subdivision, all";  
 18 and in line 11 after the period insert "All funds received under  
 19 section 1 of this act shall be deposited by the State Treasurer in  
 20 a separate life insurance corporation demutualization trust fund  
 21 from which he or she shall make prompt payment of claims regarding  
 22 such funds allowed pursuant to the act.".
- 23 3. On page 9, line 20, after "sections" insert "69-1310,  
 24 69-1329," and after "81-1111" insert a comma.
- 25 4. Renumber the remaining sections and correct internal  
 26 references accordingly.

Senator Redfield filed the following amendment to LB 175:  
 AM0925

(Amendments to Final Reading copy)

- 1 1. Insert the following new section:
- 2 "Sec. 16. Any political subdivision may, at the  
 3 discretion of the governing body of the subdivision, sell bonds  
 4 which the political subdivision is authorized to issue under any  
 5 provision of law using an Internet auction system. The governing  
 6 body shall comply with all other statutory requirements for the  
 7 issuance of the bonds.".
- 8 2. On page 1, line 11, after the semicolon insert "to  
 9 authorize political subdivisions to sell bonds using an Internet  
 10 auction system;".

## VISITORS

Visitors to the Chamber were Senator Burling's son and grandchildren, Dan, Brennan, and Brea Burling, from Kenesaw; Steven Scharf from Lincoln; Senator McDonald's daughter and grandchildren, Shelly, Austin, and Lauren Pair, from Dallas, Texas; 50 twelfth-grade students and teacher from Aurora; 52 fourth-grade students and sponsors from Crete; Mayor Whitaker and 25 members of the Mayor's Youth Council from North Platte; and 50 fourth-grade students and teachers from Crete.

## MOTION - Recess

Senator Bromm moved to recess until 1:45 p.m.

Senator Chambers requested a roll call vote, in reverse order, on the motion to recess.

Voting in the affirmative, 37:

Baker	Engel	Kremer	Pedersen, Dw.	Stuhr
Beutler	Erdman	Kruse	Pederson, D.	Synowiecki
Bourne	Foley	Landis	Preister	Thompson
Bromm	Friend	Louden	Quandahl	Vrtiska
Burling	Hartnett	Maxwell	Raikes	Wehrbein
Combs	Hudkins	McDonald	Redfield	
Connealy	Janssen	Mines	Schrock	
Cunningham	Johnson	Mossey	Smith	

Voting in the negative, 2:

Chambers      Stuthman

Present and not voting, 5:

Brashear      Brown      Price      Schimek      Tyson

Excused and not voting, 5:

Aguilar      Byars      Cudaback      Jensen      Jones

The Bromm motion to recess prevailed with 37 ayes, 2 nays, 5 present and not voting, and 5 excused and not voting, and at 12:15 p.m., the Legislature recessed until 1:45 p.m.

### **AFTER RECESS**

The Legislature reconvened at 1:45 p.m., Senator Cudaback presiding.

### **ROLL CALL**

The roll was called and all members were present except Senators Brown, Maxwell, and Dw. Pedersen who were excused until they arrive.

### **GENERAL FILE**

**LEGISLATIVE BILL 608.** The fourth Standing Committee amendment, FA1207, found on page 1011 and considered in this day's Journal, as amended, was renewed.

The fourth Standing Committee amendment, as amended, was adopted with 33 ayes, 4 nays, 9 present and not voting, and 3 excused and not voting.

The fifth Standing Committee amendment is as follows:

FA1208

12 of at least thirty new employees, (b) the investment in qualified  
 13 property of at least three million dollars and the hiring of at  
 14 least twenty new employees for projects in which all of the

15 qualified property claimed by the taxpayer is located in one or  
 16 more Nebraska counties each having a population of less than twenty  
 17 thousand individuals at the end of the base year, or (c) ~~or (b)~~ the  
 16 added at least thirty new employees for projects qualifying under  
 17 subdivision (3)(a) of section 77-4104, or at least twenty new  
 18 employees for projects qualifying under subdivision (3)(b) of  
 19 section 77-4104, at the project shall also be entitled to:

The fifth Standing Committee amendment was adopted with 38 ayes, 0 nays, and 11 present and not voting.

Senator D. Pederson asked unanimous consent to be excused until he returns. No objections. So ordered.

Advanced to E & R for review with 39 ayes, 1 nay, 8 present and not voting, and 1 excused and not voting.

**LEGISLATIVE BILL 667.** Title read. Considered.

## **SPEAKER BROMM PRESIDING**

The Standing Committee amendment, AM0484, found on page 632, was adopted with 32 ayes, 0 nays, 16 present and not voting, and 1 excused and not voting.

Senator Jensen offered the following motion:

To suspend the rules, Rule 7, Section 3(d), to permit consideration of AM821 to LB 667.

The Jensen motion to suspend the rules prevailed with 30 ayes, 2 nays, 16 present and not voting, and 1 excused and not voting.

Senator Jensen renewed his pending amendment, AM0821, printed separately and referred to on page 937.

Senator Jensen renewed his pending amendment, AM0896, found on page 1017, to his pending amendment.

The Jensen amendment was adopted with 28 ayes, 0 nays, 20 present and not voting, and 1 excused and not voting.

Senator Chambers offered the following amendment to the Jensen pending amendment:

FA1209

Amend AM0821

On page 10 in line 24 strike "that" and insert "who".

## **SENATOR CUDABACK PRESIDING**

Senators Beutler, Brashear, Engel, and Hartnett asked unanimous consent to be excused. No objections. So ordered.

The Chambers amendment was adopted with 31 ayes, 0 nays, 14 present and not voting, and 4 excused and not voting.

The Jensen amendment, AM0821, as amended, was adopted with 33 ayes, 0 nays, 12 present and not voting, and 4 excused and not voting.

Advanced to E & R for review with 34 ayes, 0 nays, 11 present and not voting, and 4 excused and not voting.

### **AMENDMENT - Print in Journal**

Senators Bourne and Byars filed the following amendment to LB 513:  
AM0970

1 1. On page 2, line 23, after "(3)" insert "If the  
2 postsecondary educational institution provides information to the  
3 enrolled person, or the enrolled person's parent or guardian if the  
4 enrolled person is a minor, it shall include information on the  
5 availability of an indigent patient fund administered by the  
6 National Organization of Rare Disorders to assist qualified persons  
7 with the cost of the vaccine.  
8 (4)".

### **ADJOURNMENT**

At 4:41 p.m., on a motion by Speaker Bromm, the Legislature adjourned until 9:00 a.m., Wednesday, March 26, 2003.

Patrick J. O'Donnell  
Clerk of the Legislature

